



**Fw: Response Letter (additional info on NVT/Corps dispute on Chuitna SEIS)**

**Jamey Stoddard** to: Dennis McLerran, Dianne Soderlund, Jim Woods, Linda Anderson-Carnahan

10/17/2012 04:52 PM

Cc: Keith Cohon, Katherine Brown, Tami Fordham, reichgott.christine, opalski.dan, godsey.cindi

History: This message has been forwarded.

FYI--

The Native Village of Tyonek has requested a formal dispute resolution from Colonel Lestochi pursuant to the provisions of the cooperating agency MOU. The main issues are NVT having equal and timely access to all interim reports, data, draft documents, etc., as well as their ability to hire outside consultants to provide technical and legal assistance throughout the SEIS process. NVT has been forwarding correspondence to our colleagues at HQ (see below), and has referenced their meeting with Administrator Jackson in correspondence to other agencies on this issue (i.e., DOI/USFWS).

I apologize if you already have these, but since this is elevating to fairly high levels, I am also attaching all of the correspondence that has been going around on this issue:

- 1) The Corps original 10/12/12 letter threatening to remove NVT as a cooperating agency;
- 2) NVT's initial response to the Corps 10/12/12 letter;
- 3) Letter from Senator Begich to Col. Lestochi
- 4) NVT letter to Corps requesting formal dispute resolution

Let me know if there are any questions. Thanks.



POA-2006-753\_Chuitna SEIS Ltr.pdf Oct. 17 2012 Letter to Corp.pdf Begich Letter to Col Lestochi 10 15 12.pdf



NVT letter 2 Col\_dispute resolution request\_10-18-12.pdf

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----- Forwarded by Jamey Stoddard/R10/USEPA/US on 10/17/2012 04:27 PM -----

From: Heather Kendall-Miller <kendall@narf.org>  
To: Jamey Stoddard/R10/USEPA/US@EPA  
Date: 10/17/2012 04:24 PM  
Subject: FW: FW: Response Letter

**From:** Heather Kendall-Miller [mailto:[kendall@narf.org](mailto:kendall@narf.org)]  
**Sent:** Wednesday, October 17, 2012 3:20 PM  
**To:** 'Corman.Bicky@epamail.epa.gov'  
**Cc:** 'Chase.JoAnn@epamail.epa.gov'  
**Subject:** RE: FW: Response Letter

Hi Bicky and Joann,

I have attached one ore letter that was sent by the Tribe today to the Colonel requesting that the issue of access to information and retention of experts be elevated to the Col. Under the dispute resolution provision of the MOU.

Thanks much, Heather

**From:** [Corman.Bicky@epamail.epa.gov](mailto:Corman.Bicky@epamail.epa.gov) [mailto:[Corman.Bicky@epamail.epa.gov](mailto:Corman.Bicky@epamail.epa.gov)]  
**Sent:** Wednesday, October 17, 2012 11:26 AM  
**To:** Heather Kendall-Miller  
**Cc:** [Chase.JoAnn@epamail.epa.gov](mailto:Chase.JoAnn@epamail.epa.gov)  
**Subject:** Re: FW: Response Letter

my apologies - i am just seeing these e-mails. Thank you for sending. We'll take a look.

Bicky Corman  
Deputy General Counsel  
U.S. Environmental Protection Agency  
desk: 202-564-2202  
cell: 202-465-5966  
[Corman.Bicky@epamail.epa.gov](mailto:Corman.Bicky@epamail.epa.gov).

▼ Heather Kendall-Miller ---10/16/2012 05:12:30 PM---\*From:\* Heather Kendall-Miller [mailto:[kendall@narf.org](mailto:kendall@narf.org)] \*Sent:\* Tuesday, October 16, 2012 12:34 PM

From: Heather Kendall-Miller <[kendall@narf.org](mailto:kendall@narf.org)>  
To: JoAnn Chase/DC/USEPA/US@EPA, Bicky Corman/DC/USEPA/US@EPA  
Date: 10/16/2012 05:12 PM  
Subject: FW: Response Letter

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**From:** Heather Kendall-Miller [mailto:[kendall@narf.org](mailto:kendall@narf.org)]  
**Sent:** Tuesday, October 16, 2012 12:34 PM  
**To:** 'Heer, Marcia L POA'; 'Shearer, Amanda M POA'; '[Shane.M.Mccoy@usace.army.mil](mailto:Shane.M.Mccoy@usace.army.mil)'; '[Renee.E.Sedlak@usace.army.mil](mailto:Renee.E.Sedlak@usace.army.mil)'  
**Cc:** '[f.standifer@hotmail.com](mailto:f.standifer@hotmail.com)'; '[jessica\\_s@tyonek.net](mailto:jessica_s@tyonek.net)'; '[NVT\\_Environmental@tyonek.net](mailto:NVT_Environmental@tyonek.net)'; '[tebughna-kc@hotmail.com](mailto:tebughna-kc@hotmail.com)'; '[harriet\\_k@tyonek.net](mailto:harriet_k@tyonek.net)'  
**Subject:** Response Letter

Marcia,

Please find attached a response letter to the 10/12/2012 letter that was sent to me last week by Renee Sedlak, Acting Chief of the Regulatory Division. A hard copy and attachments will also be placed in the mail. Please also find attached a letter that we received this morning from Senator Begich.

Thank you very much.

Yours sincerely,

Heather Kendall-Miller[attachment "Oct.17 2012 Letter to Corp.pdf" deleted by Bicky Corman/DC/USEPA/US]  
[attachment "NARF Nondisclosure Letter- 11Oct12.pdf" deleted by Bicky Corman/DC/USEPA/US] [attachment  
"email record of correspondence on subgroups..docx" deleted by Bicky Corman/DC/USEPA/US] [attachment  
"Begich Letter to Col Lestochi 10 15 12.pdf" deleted by Bicky Corman/DC/USEPA/US] [attachment "NVT letter 2  
Col.pdf" deleted by Jamey Stoddard/R10/USEPA/US]